

DOCKET NO.: 296895US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

GROUP: 1745

Frank-Martin PETRAT, et al.

SERIAL NO: 10/594,995

ATTENTION:  
FILING RECEIPT CORRECTIONS

FILED: July 26, 2007

FOR: NANOSCALAR SILICON PARTICLES IN NEGATIVE ELECTRODE  
MATERIALS FOR USE IN LITHIUM-ION BATTERIES

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

Office of Initial Patent Examination  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Patent Office is requested to provide a corrected Official Filing Receipt for the following.

PLEASE NOTE THAT THE FILING DATE IS INCORRECT. IT SHOULD READ AS FOLLOWS:

07/26/2007

PLEASE NOTE THAT THE 6<sup>TH</sup> APPLICANT'S CITY IS INCORRECT. IT SHOULD READ AS FOLLOWS:

FRANK-MARTIN PETRAT, MUENSTER, GERMANY

VOLKER HENNIGE, DUELMEN, GERMANY

EVELYN ALBRECHT, RECKLINGHAUSEN, GERMANY

DAVID LEE, BELLEMEAD, NJ

HILMI BUQA, BRUGG, SWITZERLAND

MICHAEL HOLZAPFEL, MUENCHEN, GERMANY

PETR NOVAK, BRUGG, SWITZERLAND

PLEASE NOTE THAT THE ASSIGNMENT FOR PUBLISHED PATENT APPLICATION DATA IS MISSING. IT SHOULD READ AS FOLLOWS:

**DEGUSSA AG, DUESSELDORF, GERMANY**

No fees are required. If you have any questions, please do not hesitate to contact us.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



Paul J. Killos  
Registration No. 58,014

Customer Number

**22850**

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(OSMMN 03/06)  
296895US-9350-9350-0-PCT  
10/594,995



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPL NO.   | FILING OR 371(c)<br>DATE | ART UNIT | FIL FEE REC'D | ATTY.DOCKET NO | TOT CLMS | IND CLMS |
|------------|--------------------------|----------|---------------|----------------|----------|----------|
| 10/594,995 | 06/26/2007<br>07         | 1745     | 1030          | 296895US0PCT   | 13       | 1        |

CONFIRMATION NO. 3290

22850  
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

FILING RECEIPT



\*OC000000025564682\*

Date Mailed: 08/30/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Frank-Martin Petrat, Munster, GERMANY;  
Volker Hennige, Dulmen, GERMANY;  
Evelyn Albrecht, Recklinghausen, GERMANY;  
David Lee, Bellemead, NJ;  
Hilmi Buqa, Brugg, SWITZERLAND;  
Michael Holzapfel, Munchen, SWITZERLAND; Germany  
Petr Novak, Brugg, SWITZERLAND;

RECEIVED: 8/31/07

OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: PD 8/31/07

Type of Resp(s):

Due Date(s):

*Assignment for Published Patent Application*

Power of Attorney: The patent practitioners associated with Customer Number 22850.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP05/51238 03/17/2005

Foreign Applications

GERMANY 10 2004 016 766.4 04/01/2004

If Required, Foreign Filing License Granted: 08/26/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/594,995

Projected Publication Date: 12/06/2007

6  
*Degussa AG, Duesseldorf, Germany*

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Nanoscalar Silicon Particles In Negative Electrode Materials For Use In Lithium-Ion Batteries

**Preliminary Class**

429

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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FOR USE IN LITHIUM-ION BATTERIES

**REQUEST FOR CORRECTED NOTICE OF ACCEPTANCE**

Commissioner for Patents  
Mail Stop PCT  
Alexandria, Virginia 22313

The U.S. PCT Receiving Branch is requested to provide a corrected Notification of Acceptance under 35 USC 371 for the following reasons:

The Date of Receipt of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) Requirements is incorrect.  
AND

The Date of Receipt of all 35 U.S.C. 371 requirements is incorrect.

Applicant believes that the correct date is July 26, 2007, the date of the filing the Executed Declaration. A copy of the Electronic Acknowledgment Receipt is attached.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
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